

**AGENDA FOR THE
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MONDAY, APRIL 15, 2002 AT 2:00 P.M.
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WITH THE READING AND ADOPTION**

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**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, APRIL 15, 2002 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

- ITEM-1: ROLL CALL.
- ITEM-10: INVOCATION.
- ITEM-20: PLEDGE OF ALLEGIANCE.

SPECIAL ORDERS OF BUSINESS

- ITEM-30: Eight actions related to Blue Ribbon Committee on City Finances.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2002-1381)

Commending Mary Ball for her outstanding contributions to our community and
for her dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-B: (R-2002-1375)

Commending April Boling for her outstanding contributions to our community
and for her dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-C: (R-2002-1376)

Commending Joe Craver for his outstanding contributions to our community and
for his dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-D: (R-2002-1377)

Commending William McCurine Jr. for his outstanding contributions to our community and for his dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-E: (R-2002-1378)

Commending April Riel for her outstanding contributions to our community and for her dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-F: (R-2002-1379)

Commending Victor A. Vilaplana for his outstanding contributions to our community and for his dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-G: (R-2002-1380)

Commending Richard H. Vortmann for his outstanding contributions to our community and for his dedicated service to the Blue Ribbon Committee on City Finances.

Subitem-H: (R-2002-1374)

Commending Linc Ward for his outstanding contributions to our community and for his dedicated service to the Blue Ribbon Committee on City Finances.

SPECIAL ORDERS OF BUSINESS

ITEM-31: Joy Glenner Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-1215)

Commending Joy Glenner for her outstanding encouragement, effort and support of the mission and goals of the George G. Glenner Alzheimer's Family Centers, Inc.;

Proclaiming April 20, 2002 to be "Joy Glenner Day" in recognition of the accomplishments of the George G. Glenner Alzheimer's Family Centers, Inc. founder Joy Glenner for improving the quality of life of the people of San Diego.

SPECIAL ORDERS OF BUSINESS

ITEM-32: Joseph Vilella/Vectron Day.

COUNCILMEMBER MAIENSCHIEIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1272)

Proclaiming Tuesday, April 15, 2002 to be "Joseph Vilella/Vectron Day" in San Diego in recognition of his many outstanding contributions and service to the City of San Diego.

SUPPORTING INFORMATION:

Vectron, Inc. was established in 1994 in San Diego, California and specializes in the design and manufacture of innovative leading-edge mechanical, electronic, and image processing equipment. Joseph Vilella, Vectron Inc. CEO and founder, was the first loan recipient of the EmTek Fund, an innovative revolving loan fund created to assist emerging technologies and entrepreneurs which is administered by the City of San Diego's Community and Economic Development Department and supported by the County, local banks and numerous other public and private partners. Vectron, Inc. was named one of the "25 Big Idea Companies" by Fortune's Small Business Magazine in 2000.

Vectron Inc. successfully repaid its second EmTek Fund loan in 2001, generating a 35 percent rate of return on the City's investment, providing increased capital to the Fund, and allowing the City to offer these resources to other emerging companies. Joseph Vilella made a model transition from being a downsized defense engineer in the recession of the early 1990s to become a successful technology entrepreneur who has built a locally headquartered company, creating 17 San Diego jobs and attracted more than \$11 million in outside private equity capital. Vectron, Inc. serves as a model for promising early-stage growth businesses, Hispanic-owned businesses, and other historically disadvantaged businesses. Joseph Vilella serves as a model for San Diego entrepreneurs with his creativity, enthusiasm, vision and determination to succeed. Vectron, Inc. enhances San Diego's reputation as a thriving center of high technology entrepreneurship. Therefore, proclaiming April 15, 2002 as "Joseph Vilella/Vectron Day" in recognition of his many outstanding contributions and service to the City of San Diego.

Balolong-Burley

SPECIAL ORDERS OF BUSINESS

ITEM-33: Thomas E. Trainor Day.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1221)

Commending Thomas E. Trainor on his retirement and for his over 39 years of distinguished and excellent service;

Proclaiming April 15, 2002 to be "Thomas E. Trainor Day" in San Diego.

SPECIAL ORDERS OF BUSINESS

ITEM-34: Peter A. Lopez Day.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1222)

Commending Peter A. Lopez on his retirement and for his 10 years of service as Chief Building Official and over 36 years of distinguished and excellent service to the City of San Diego;

Proclaiming April 15, 2002 to be "Peter A. Lopez Day" in San Diego.

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

ORDINANCE INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

Item 50.

ORDINANCES TO BE INTRODUCED:

None.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

- * ITEM-50: Proposal to Amend Municipal Code Section 35.0111 to Reflect an Increase in the Room Rental Charge Amount Exempt from TOT from \$20 to \$25 per night.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/2/2002. (Council voted 8-0. Councilmember Peters not present):

(O-2002-103)

Amending Municipal Code Chapter 3, Article 5, Division 1, by amending Section 35.0111 relating to Transient Occupancy Tax Exemptions.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Inviting Bids for the Replacement of Damaged Sidewalk and Curb/Gutter City Wide - "C-22."

(See Cruz Gonzalez's 3/28/2002 memo.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1017)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Replacement of Sidewalk and Curb/Gutter City Wide Group C-22 on Work Order No. 590020;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to reallocate the funding sources for TransNet funds between TransNet Cash and Commercial Paper funded projects as may be appropriate to maximize the use of TransNet Cash and minimize the use of Commercial Paper funding for CIP-59-002.0;

Authorizing the expenditure of an amount not to exceed \$486,000 from Fund 30300, CIP-59-002.0, Annual Allocation to be funded by TransNet fund 30300, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02060C)

CITY MANAGER SUPPORTING INFORMATION:

This action will provide for the replacement of damaged concrete hard scape surfaces in all Council Districts. The Street Division maintains over 5,000 miles of sidewalks. Specific sidewalk and curb/gutter locations for this project were selected from the Street Division's general concrete repair backlog for non-tree root damaged sites. Locations which need repair are reported by City personnel and/or citizens. Street Division uses the following factors to identify and prioritize repair locations for both contractual services and city force work: the severity of the damage, the age of the request, other repair projects occurring at the same location, and utility conflicts. While the severity of the damage and the age of the request are the highest priorities, if best management practices dictate grouping jobs in the same geographic area, that course of action will be considered regardless of the age of the request. Damage rating factors from 1 to 4, with "1" being extensive damage to the right-of-way, "2" moderate. routine, "3" routine, and "4" minimal damage, are also applied and considered in the prioritization.

It is projected that 174 locations will be completed by this contract. Locations to be repaired include sidewalks, curbs/gutters, cross gutters, bus pads and curb ramps throughout the city.

FISCAL IMPACT:

The cost of this contract is \$486,000. Funds are available in Fund 30300/CIP-59-002.0, Annual Allocation to be funded by TransNet Fund 30300.

Loveland/Gonzalez/MMW

Aud. Cert. 2200865.

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

- * ITEM-101: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Water and Sewer Group Job 616.

(See Memorandum from Frank Belock, Jr. dated 2/6/2002. Uptown Community Area. Districts-2 and 3.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2002-1204)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Water and Sewer Group Job 616 on Work Order Nos. 172461/182101;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$2,914,654 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements, and an amount not to exceed \$393,313 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02096C)

Subitem-B: (R-2002-1205)

Certifying that the information contained in Mitigated Negative Declaration LDR-91-0722, has been completed in compliance with the California Environmental

Quality Act of 1970, as amended, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of Construction of Sewer and Water Group Job 616;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving said Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program;

Directing the City Clerk to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 2/13/2002, NR&C voted 4 to 0 to approve. (Councilmembers Peters, Wear, Frye and Madaffer voted yea. Councilmember Inzunza not present.)

CITY MANAGER SUPPORTING INFORMATION:

This project is part of the City's concrete sewer and cast iron water replacement program. Sewer & Water Group Job 616 will replace approximately 6,200 linear feet of existing 6-inch and 8-inch Vitrified Clay and Concrete sewer mains with new 8-inch sewer main. The existing facilities were installed approximately in 1900 and are undersized, deteriorated and are in need of replacement. This project will provide a more reliable sewage collection system for the service area.

This project also replaces approximately 1,450 linear feet of existing 8-inch, 10-inch and 24-inch cast iron water mains. This project also includes the abandonment of approximately 640 linear feet of existing 8-inch and 12-inch existing Vitrified Clays sewer main located at Dove Canyon, and approximately 1,100 linear feet of existing 6-inch and 8-inch Vitrified Clay sewer main located at Curlew Canyon. In addition twenty (20) new pedestrian ramps will be constructed and the streets within the project area will be resurfaced from curb to curb.

This project lies in the Mission Hills and Hillcrest neighborhoods of the Uptown Community Planning Area, in Brookes Avenue from Curlew Street to First Avenue; First Avenue from Brooks Street to Pennsylvania Avenue; an Alley between Front Street and First Avenue from Brookes Avenue to University Avenue; Brant Street from Brookes Street to Pennsylvania Avenue; Upas Street from Goldfinch Street to Dove Street; Goldfinch Street from Walnut Street to Upas Street; Ibis Street from Brookes to Upas Street; Walnut Street from Ibis Street to Hawk Street; and portions of Curlew Canyon (formerly Albatross Canyon).

Residents will be notified by mail at least one month before construction begins by the City and

again ten days before construction begins by the contractor through hand distribution. The contractor will be required to provide traffic control plans for City approval and will be required to preserve/relocate existing historical stamps. This project has been presented to the Uptown Community Planning Committee twice and will be presented a third time, to introduce the City's resident engineer and Contractor.

FISCAL IMPACT:

This will be funded from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement and from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement. The total estimated cost of this project is \$3,307,967. Of this amount \$676,227 is for Engineering Services, \$2,407,791 for construction, \$95,000 for City Forces and \$128,949 for contingencies. This project is scheduled to be phase funded during FY 2003.

Belock/Boekamp/HR

WWF-02-573.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-102: Final Map CIP No. 525830.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1193)

Approving Final Map CIP No. 525830.

CITY MANAGER SUPPORTING INFORMATION:

This parcel map is a two-parcel lot line adjustment map of a 2.295 acre site located southeasterly of Ardath Road and Hidden Valley Road in the La Jolla Community Plan area. As part of the Ardath Road reconfiguration project, the realignment of Hidden Valley Road, and the creation of "Ardath Access Road" were necessary. As a result, the driveway access to the residence located at 2466 Hidden Valley Road (Parcel 2 of the subject parcel map) had to be relocated to the north side of the parcel to allow for safe ingress and egress to the property, and to eliminate sight visibility issues at the newly created intersection. The necessity for the driveway relocation led to the lot line adjustment to the private property as detailed on the map, with the City granting the

property owner 1,994 square feet to accommodate the driveway installation.

Parcel 1 is City-owned; this parcel is to be used for staging of material and equipment related to water and sewer upgrades associated with the Ardath Road reconfiguration project, as well as the temporary storage of numerous torrey pine trees which will be transplanted as part of the project. The interdepartmental transfer and approved use of this property was addressed in an MOU approved by Council Resolution R-295594, dated October 22, 2001.

The existing sewer easement being vacated was granted to the City of San Diego per deed recorded October 20, 1955 at no cost to the city and is no longer needed in its present location. A new sewer easement is granted on the map to accommodate the new utility locations. Abutter's rights of access to Ardath Road were relinquished to the City of San Diego per deed recorded February 27, 1952 and are being revested on this map to provide access to the parcels.

There are neither public improvements nor park fees required in connection with this project.

FISCAL IMPACT:

None.

Ewell/Haase/GRB

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-103: San Diego-Yokohama Bridge of Friendship Week.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1382)

Declaring April 14 through 20, 2002 to be "San Diego - Yokohama Bridge of Friendship Week" in honor of the 45th anniversary Celebration delegation in the City of San Diego .

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-104: National Fair Housing Month.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-2002-1271)

Commending the Fair Housing Council of San Diego for their contributions to the City;

Proclaiming April 2002 to be "National Fair Housing Month" in San Diego.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-105: Institute on World Affairs Day.

COUNCILMEMBER INZUNZA'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1274)

Recognizing and appreciating the assistance of the Institute on World Affairs at San Diego State University and proclaiming April 25, 2002 to be "Institute on World Affairs Day" in San Diego.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-106: Dr. Mary Frances Berry Day.

COUNCILMEMBER INZUNZA'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1273)

Recognizing and appreciating the assistance of Dr. Mary Frances Berry for her outstanding contributions in championing the civil rights of others in the U.S. and abroad and proclaiming April 17, 2002 to be "Dr. Mary Frances Berry Day" in San Diego.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-107: Settlement of the Personal Injury Claim of Lia Adkins.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1250)

A Resolution approved by the City Council in Closed Session on Tuesday, March 19, 2002, by the following vote: Peters-yea; Wear-yea; Atkins-yea; Stevens-yea; Maienschein-yea; Frye-nay; Madaffer-not present; Inzunza-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury claim to Lia Adkins (Superior Court Case No. GIC 731274 Lia Adkins v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$100,000 made payable to Lia Adkins and her attorney Stanton T. Matthews and Associates, in full settlement of the lawsuit and all claims, and that said funds are to be payable from Fund No. 81140.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Lia Adkins against the City of San Diego, its agents and employees, as a result of the incident occurred on June 1, 1998.

Lexin/Lopez/JE

Aud. Cert. 2200972.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-108: Agreement with MPI for Construction Support Services for Alvarado WTP Upgrade and Expansion - Phase II.

(See Larry Gardner's 12/6/2001 memo. Navajo Community Area. District-7.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-1324)

Authorizing the City Manager to execute a phase funded agreement with Malcolm Pirnie, Inc., for professional engineering services;

Authorizing the expenditure of an amount not to exceed \$7,664,537, consisting of \$6,770,294 from Water Revenue Fund No. 41500, CIP-73-261.3, Alvarado Water Treatment Plant Upgrade and Expansion - Phase II; and \$894,243 from Water Revenue Fund No. 41500, CIP-73-261.4, Alvarado Water Treatment Plant - Earl Thomas Reservoir Replacement; and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice from the administering department.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 12/12/2001, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Water Treatment Plant Project is currently undergoing Phase I construction to upgrade and expand the existing facility to meet new Federal Drinking Water Standards and comply with State of California's Department of Health Service Compliance Orders. The overall improvements for the Alvarado Water Treatment Plant, as defined in the Water Department's Capital Improvements Program and approved by City Council in August of 1997, were structured to occur in three overlapping phases beginning in 1998 and ending in 2006.

The City requires professional engineering services during the construction of the remaining two phases to assist with interpretation of contract documents, review of shop drawings, preparation of requests for quotes, development of punch lists, and preparation of record drawings during the construction period. These services will also be utilized to coordinate development of the process controls configuration for Phase II construction, and to advance all other aspects of the

Phase II design drawings from 90% to 100%.

The City's Agreement with Malcolm Pirnie, Inc. (MPI) to provide Professional Engineering Services during the construction of Alvarado Water Treatment Plant's Upgrade & Expansion - Phase II and Earl Thomas Reservoir Replacement is a component of MPI's existing professional services agreement with the City. It provides for the continuity of construction engineering services throughout the remainder of the Alvarado Water Treatment Plant Upgrade & Expansion Project.

MPI was hired through a competitive Qualifications Based Selection process for all of the design development and design support during construction for the Alvarado Water Treatment Plant work. The recommendation to retain MPI for these professional services was developed in consultation with the Water Department's CIP Program Management Consultant (Parsons Inc.) and included evaluation of MPI's performance to date. This Agreement was presented to and approved by the Natural Resources & Culture Committee on December 12th, 2001.

FISCAL IMPACT:

The total estimated cost of this contract is \$7,664,537. The projects will be phase funded beginning with FY02 and extending through FY07. The FY02 funding requirement of \$1,500,000 is available in Water Revenue Fund 41500: \$1,480,000 from CIP-73- 261.3, Alvarado Water Treatment Plant Upgrade & Expansion - Phase II, and \$20,000 from CIP-73-261.4, Alvarado Water Treatment Plant - Earl Thomas Reservoir Replacement.

Mendes/Gardner/JRP

Aud. Cert. 2200985.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-109: Lease Approval - Torrey Hills YMCA.

(Torrey Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1248)

Authorizing the City Manager to execute a 30-year lease agreement, with two ten-year options, with YMCA of San Diego County, to construct, operate, and

maintain a community and recreational center on approximately four acres of Torrey Hills Neighborhood Park at an annual rental of \$1 per year, plus a \$2,500 per year administrative fee adjusted annually, to reimburse the City for administrative costs.

CITY MANAGER SUPPORTING INFORMATION:

Torrey Hills Neighborhood Park is a new City park being developed on 15 acres southerly of Carmel Mountain Road. A YMCA community and recreational center is planned for approximately four acres of the park in accordance with the Park Agreement between the City and the subdivider, Westbrook Torrey Hills LP. The YMCA center will be constructed at the YMCA's expense at a cost of about \$7.25 million. The fair market value of the four acres to be developed by the YMCA is estimated at \$3.6 to \$4 million. The proposed ground lease between the City and the YMCA is for a term of 30 years, with two 10-year options, at an annual rental of \$1 per year plus a yearly fee to reimburse the City for administrative costs. The administrative fee is \$2,500 the first year with an annual adjustment. The size and design of the Torrey Hills YMCA are still in the planning stage. The lease requires the YMCA, within one year of lease commencement, to submit a complete General Development Plan for review by the City and the community planning group. The approved ground lease will facilitate the YMCA's capital campaign for the project. Completion of the Torrey Hills YMCA is estimated for the end of 2005.

FISCAL IMPACT:

An annual administrative fee, initially \$2,500, will be deposited into the General Fund 100.

Herring/Griffith/PTC

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-110: Lease Approval - La Jolla YMCA.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1356)

Authorizing the City Manager to execute a 25-year lease agreement, with a fifteen-year option with YMCA of San Diego County, to construct, operate, and

maintain a community and recreational center on approximately 5.25 acres located at 8355 Cliffridge Avenue, at an annual rental of \$1 per year, plus a \$2,500 per year administrative fee adjusted annually, to reimburse the City for administrative costs.

CITY MANAGER SUPPORTING INFORMATION:

The La Jolla YMCA is located at 8355 Cliffridge Avenue and consists of 26,360-square-feet of improvements, paved parking, swimming pool, gymnasium, sports fields, and other minor site improvements. The site is 5.25 acres and is currently leased until 2014 at a nominal rental of \$1 per year. The proposed lease between the City and the YMCA is for a term of 25 years with one 15-year option, which will replace the existing lease. The rent will be \$1 per year plus an annual fee to reimburse the City for administrative costs. The administrative fee is \$2,500 the first year with an annual adjustment. The proposed lease requires the YMCA, within one year of lease commencement, to submit a complete General Development Plan for review by the City and the community planning group. The proposed lease, if approved, will facilitate the YMCA's capital campaign for the project, the goal of which is to raise \$7.25 million dollars, for remodeling and expansion of the facilities. Construction of the improvements will be in phases with the first phase, estimated at \$4.1 million, to be completed within five years of lease commencement.

FISCAL IMPACT:

An annual administrative fee, initially \$2,500, will be deposited into the General Fund 100.

Herring/Griffith/ACG

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-111: Angle Parking on Cannon Street, Upshur Street, Talbot Street and Scott Street.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1234)

Approving angle parking on the north side of Cannon Street between Rosecrans Street and Anchorage Lane, the north side of Upshur Street between Rosecrans Street and Scott Street, the north side of Talbot Street between Scott Street and Anchorage Lane, and on the east side of Scott Street between Talbot Street and

Upshur Street;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will permit angle parking on the following streets:

- (1) Canon Street (north side), between Rosecrans Street and Anchorage Lane.
- (2) Upshur Street (north side), between Rosecrans Street and Scott Street.
- (3) Talbot Street (north side), between Scott Street and Anchorage Lane.
- (4) Scott Street (east side), between Talbot Street and Upshur Street.

Currently, there is parallel parking at the above mentioned areas. This action will provide approximately 18 additional parking spaces. Council approval is required according to Municipal Code Section 86.03. A petition representing more than 75% of the affected property owners was submitted in support of this action, and there is sufficient street width to safely accommodate angle parking. The Peninsula Planning Group supports this action.

FISCAL IMPACT: None

Loveland/Gonzalez/AH

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-112: Roof Replacements - Police Headquarters and Northern Area Station.

(East Village and University Community Area. Districts-2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1327)

Amending Fiscal Year 2002 Capital Improvements Program budget by adding CIP-36-070.0 Police Headquarters - Roof Replacement, and CIP-36-071.0, Northern Area Station - Roof Replacement;

Increasing the Fiscal Year 2002 Capital Improvements Program budget in the amount of \$190,000 for the purpose of funding CIP-36-070.0, Fund 18744 (State

COPS Grant 1998-1999 Fund);

Increasing the Fiscal Year 2002 Capital Improvements Program budget in the amount of \$80,000 for the purpose of funding CIP-36-071.0, Fund 10523 (Deferred Maintenance Fund);

Authorizing the City Auditor and Comptroller to appropriate and expend \$190,000 from CIP-36-070.0, Fund 18744, for replacement of the Police Headquarters roof, and \$80,000 from CIP-36-071.0, fund 10523, for replacement of the Northern Area Station roof.

CITY MANAGER SUPPORTING INFORMATION:

CIP #36-070.0: The Police Department Headquarters building at 1401 Broadway was built in 1986. The roof has leaked for the past several years. Patching has reduced the leakage to some degree, but the interior walls and ceiling tiles continue to be damaged. More significantly, core samples show that damage is occurring to the permanent structure underneath the roofing material due to saturation. The old roof needs to be removed, damaged structure repaired, and new roofing material applied. The Police Headquarters building houses over 1000 Police employees, including antigang detectives and the crime prevention program, as well as other investigative units and the Communications Division which are an essential element of front line law enforcement. This capital expenditure is necessary to maintain the function and safety of the building to support these personnel and therefore qualifies within the parameters of the block grant.

CIP-36-071.0: The Northern Area Police Station at 4275 Eastgate Mall was built circa 1970. The roof has leaked for a number of years, damaging walls, ceiling tiles, and equipment within. The original roofing material is still in place and is under several layers of patching and overlays. All of this material needs to be removed and new roofing material applied.

FISCAL IMPACT:

Headquarters Roof. Funding for this purpose in the amount of \$190,000 will come from the State COPS Grant Fund, which allows for capital or construction projects that directly support "front line law enforcement services", to "include antigang and community crime prevention programs" (Government Code 30062(c)(2) and 30062(e).

Northern Area Station roof: Funding for this purpose in the amount of \$80,000 will come from monies designated by Council for deferred maintenance items. Facilities Maintenance Division has identified this as an appropriate project for this fund.

Uberuaga/Bejarano/JEM

Aud. Cert. 2200951.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-113: Consultant Selection/Brown Field Airport Slurry Seal and Paint All Runways and Taxiways.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1113)

Authorizing the City Manager to apply for and accept additional grant funds of \$150,000 from the FAA and expend the additional grant fund towards the Brown Field Pavement Improvement Project;

Authorizing the increase of CIP-31-174.0 Fiscal Year 2002 Budget by \$150,000, raising the budget to \$885,000, contingent upon obtaining the \$150,000 grant;

Authorizing the appropriation and expenditure of an amount not to exceed \$885,000 from CIP-31-174.0 for the Brown Field Airport Pavement Improvement Project, contingent upon receipt of the additional grant funds;

Authorizing the City Manager to execute a Capital Improvements Agreement with Parsons, Brinckerhoff, Quade & Douglas, Inc., for the preparation of plans and specifications for the slurry sealing and repainting of surface markings on all runways and taxiways at Brown Field Airport;

Authorizing the expenditure of an amount not to exceed \$90,878 from CIP-31-174.0, which is part of the overall request to expend \$885,000;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Airport Pavement Management System (APMS) for Brown Field Airport includes a recommendation that the runway and taxiway system be slurry sealed at least once every five years, to protect and extend the useful life of the asphalt. It is also a requirement under Federal Aviation Administration (FAA) Airport Sponsor Assurance Number 11 that the City implement a

preventative pavement maintenance program. State and Federal grant funds have been made available to assist the City of San Diego to implement this program.

The APMS for Brown Field was originally prepared in 1995 to provide the State, FAA and City with information on the current and projected needs for repairing, maintaining or preserving site pavements, including cost estimates. It also presented projected conditions for the year 2000, anticipating that pavement rehabilitation would be deferred until funding was made available. In November 2000 a cursory pavement inspection was conducted and the results were organized into elements and charted with consideration given to usage, make-up, and construction history. The majority of the much needed work is on Runway 8L-26R, associated taxiways, and apron areas. After the slurry seal is applied to all of the runways and taxiways, the surface markings will need to be repainted. The estimate for this project is approximately \$885,000. The FAA has recently made available to the City of San Diego an additional \$150,000 towards this project. This will increase the budget to \$885,000.

This action allows the Airports Division to contract with a consultant to provide plans and specifications that will meet FAA guidelines, advertise and start construction. The cost of the consultant agreement will be \$90,878. The remaining funds in the CIP-31-174.0 will be used for construction and project management.

FISCAL IMPACT:

The total cost of the consultant will be \$90,878. Funding is available in CIP-31-174.0, Brown Field Pavement Improvement Project.

Herring/Griffith/TLM

Aud. Cert. 2200824.

**ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:**

* ITEM-114: Amending FY2002 Capital Improvements Program - Kumeyaay Lake Berm Replacement.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2002-1054)

Authorizing the allocation and expenditure of funds for the Kumeyaay Lake Berm Replacement; and amending the CIP budget.

CITY MANAGER SUPPORTING INFORMATION:

The Kumeyaay Lakes (formerly known as Hollins Lake) are located in the northern portion of Mission Trails Regional Park on Father Junipero Serra Trail, approximately one block west of Mission Gorge Road. The lakes are bordered by the San Diego River to the north and west, and the Kumeyaay Lakes Campgrounds to the south.

The Kumeyaay Lakes were formed in the 1950's and 1960's as a result of sand and gravel mining. An earthen berm was constructed along the northern and eastern portion of the lakes to prevent the San Diego River from intruding into the mining operations.

During the 1995-1996 rainy season the berm was breached in the eastern portion, adjacent to Lake No. 4. Since that time the San Diego River has been flowing through the Kumeyaay Lakes with several negative impacts. The lakes have been silting in and reducing the size. It is anticipated that the lakes will completely silt in over the next 17 years. The intrusion of the river has introduced water hyacinth into the lakes. The water hyacinth has been spreading aggressively and depleting the oxygen level in the water, resulting in fish kills. The flow of the river has scoured vegetation from the bottom of the lake, reducing the food supply for resident and migratory water fowl. The change in the direction of a portion of the San Diego River has reduced the water supply to a nearby Caltrans wetland mitigation site. Since the berm breach, the wetland mitigation site has been in a rapid state of decline. This project will provide for the reconstruction of the damaged portion of the berm, restoring the river to its prebreach route and preventing further siltation of the lakes. The project will also include the removal of silt from the lakes and restoring them to their pre-breach size and depth.

FISCAL IMPACT:

Funds are available in the amount of \$85,000 from the Mission Trails Regional Park Antenna Fund, Fund No. 10580 (\$85,000) for this purpose. The CIP currently has \$25,000 allocated. The requested funds will be sufficient to cover project design, administrative costs and environmental and agency permits.

The total cost for the project is estimated between \$1 million and \$2 million, and depends on the quality of the material dredged from the lakes. If the dredged material is primarily construction grade sand, the resale of the material could potentially offset the cost of dredging. If the dredged material is only of moderate value, the material may have value for use as topsoil, in which case the dredged material may offset the cost of hauling only. If the dredged material has no value at all, the cost of dredging, hauling and disposal must be included in the project budget. A geotechnical engineer will be contracted to test the dredged material in the near future.

Herring/DVW

Aud. Cert. 2200854.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS
COMMITTEE ON RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS,
RESOLUTION:

ITEM-150: Recommendations Made by the Mayor's Blue Ribbon Committee on Budget and Finance.

(See City Manager Report CMR-02-061 and Mayor Murphy's 3/20/2002 memo.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2002-1383)

Accepting the Blue Ribbon Committee Report on City of San Diego Finances, dated February 2002;

Accepting City Manager's Report CMR-02-061, dated March 18, 2002;

Adopting the schedule in the Mayor's April 4, 2002 memo.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 3/20/2002, RULES voted 4-0 to accept City Manager's Report CMR-02-061 and adopt the items in the Mayor's March 20, 2002 memo with the following two changes to the Mayor's memo: a) Line 5, add "Would include a discussion of limiting City employee growth to the rate of population growth except when we add a program.", b) Line 6, add "Would include a discussion of the 2/3 vote requirement to make a mid-year budget modification."
(Councilmembers Wear, Atkins, Stevens and Mayor Murphy voted yea. Councilmember Madaffer not present.)

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Settlement of Property Damage Claim of CFD Mesa Ridge Partners Claim.

(R-2002-1228)

Adopted as Resolution R-296254.

A Resolution approved by the City Council in Closed Session on Tuesday, April 2, 2002, by the following vote: Peters-not present; Wear-yea; Atkins-yea; Stevens-not present; Maienschein-yea; Frye-yea; Madaffer-yea; Inzunza-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$95,989.04 in the settlement of each and every claim against the City, its agents and employees, resulting from property damage to CFD Mesa Ridge Partners on June 28, 2001;

Authorizing the City Auditor and Comptroller to issue one check for the balance of \$46,692.04 made payable to Luth & Turley, Inc. in full settlement of all claims.

Aud. Cert. 2200917.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT